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09/844,082	04/27/2001	Benjamin T. Gomez	2100/19	9623

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EXAMINER

JONES, SCOTT E

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 01/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/844,082

Applicant(s)

GOMEZ ET AL.

Examiner

Scott E. Jones

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 5, 8-10, 13-15, 18, 21-22, 25, 29-38, 41, and 43-46 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 6, 7, 11, 12, 16, 17, 19, 20, 23, 24, 26-28, 39, 40 and 42 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3713

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 8-13, 21-24, and 29-30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 8 recites the limitation "said linked gaming machines" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.

Claims 9-13, 21-24, and 29-30 inherit the deficiency of Claim 8 by dependency.

5. Claim 9 recites the limitation "the entry" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 inherits the deficiency of Claim 9 by dependency.

Art Unit: 3713

6. The items noted hereinabove are examples of only two deficiencies with the claims.

Applicant should review the entire specification, including the claims, and submit corrections for all informalities.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 5, 8-10, 13-14, 18, 21-22, 25, 31, 34-37, 41, and 43-44 are rejected under 35 U.S.C. 102(b) as being anticipated by Guinn et al.

Guinn et al. (U.S. 6,039,648) discloses an apparatus and method for an automated progressive (bonus) gaming system consisting of a plurality of electronically linked gaming machines. Guinn et al. additionally discloses:

Regarding Claims 1, 8, 9, 13, 14, 25, 34, 35, and 37:

- providing an attraction mechanism for each gaming machine (Column 2, line 58-Column 3, line 35, Column 6, line 59-Column 7, line 13, and Figure 4);
- electronically linking the gaming machines (Abstract, Column 1, line 48-Column 2, line 13, Column 3, lines 59-65, and Figures 1-3);
- causing the attraction mechanisms to be operated as a group when any one of the linked gaming machines provides an electronic signal indicative of a bonus round (or any other predetermined event) being activated (Column 6, lines 59-67). Since

Art Unit: 3713

each gaming machine  $G_1$ - $G_N$  displays a video attract sequence, the attraction mechanisms are operated in a group.

Regarding Claims 5, 10, 18, and 41:

- all of the attraction mechanisms are caused to be operated simultaneously (Column 6, lines 59-67).

Regarding Claims 21, 31, and 44:

- the attraction feature comprises a projected display, and further includes providing a visual output for the display (36) when the attraction feature is caused to operate (Column 6, lines 50-58, and Figure 3).

Regarding Claim 22:

- the displays (36) are caused to be operated simultaneously (Column 6, lines 50-58, and Figure 3). Each display may be simultaneously shown at each casino site  $C_1$ - $C_N$ .

Regarding Claim 25:

- a mechanized feature associated with each said gaming machine, said mechanized feature having parts which visibly move in a manner perceptible by a player, such as mechanical reels on a slot machine (Column 3, line 63);
- a controller operating said mechanized feature upon an activation signal (Bet one pushbutton, or slot machine handle, Figure 2);
- a signal generator which yields an activation signal upon a predetermined event in operation of a gaming machine, said activation signal being communicated to each said controller to operate said mechanized features as a group. When a

Art Unit: 3713

player inserts money and actuates the gaming machine via pushbutton or handle, the controller activates a group of three mechanized slot reels to rotate as a group (Figure 2).

Regarding Claim 36:

- the function is at least one of a visual and aural character (Column 4, lines 38-54).

Regarding Claim 43:

- the attraction features are caused to be operated with each attraction feature providing a different part of an overall presentation (Column 6, lines 59-67). Each gaming machine comprises a separate display showing the attraction feature.

Therefore, each gaming machine is a different part of an overall presentation.

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 2, 15, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guinn et al.

Guinn et al. discloses that as discussed above regarding Claims 1, 5, 8-10, 13-14, 18, 21-22, 25, 31, 34-37, 41, and 43-44. Guinn et al. seems to lack explicitly disclosing an attraction mechanism comprising a mechanical apparatus which has external moving parts, the parts being caused to move upon operation (Claims 2, 15, and 38). However, to one having ordinary skill in the art it would have been obvious at the time of the applicant's invention to utilize a rotating

Art Unit: 3713

light similar to that shown in Figure 2 to get player's attention. Doing so adds an additional dimension to the Guinn's attraction mechanism luring additional players to the gaming machines.

11. Claims 29, 32, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guinn et al. in view of Tanaka et al.

Guinn et al. discloses that as discussed above regarding Claims 1, 5, 8-10, 13-14, 18, 21-22, 25, 31, 34-37, 41, and 43-44. Although Guinn et al. discloses a progressive display which can show player-attracting animation, it seems to lack explicitly disclosing the projected display being generated by a laser projection system (Claims 29, 32, and 45).

Tanaka et al. (U.S. 5,130,838) teaches of a laser projection type display unit.

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the laser projection type display unit of Tanaka et al. in the progressive display of Guinn et al. Doing so provides an additional source of generating and displaying an attraction animation.

Additionally, applicant admits on page 8, lines 13-14, "...details of such a projection system may be gleaned from U.S. 5,130,838."

12. Claims 30, 33, and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guinn et al. in view of Tanaka et al. and in further view of Best et al.

Guinn et al. in view of Tanaka et al. discloses that as discussed above regarding Claims 29, 32, and 45. Guinn et al. in view of Tanaka et al. seems to lack explicitly showing the laser projection system including a domed projection surface on the gaming machine, the laser

Art Unit: 3713

projection system projecting the visual output upon an interior side of the surface with the output being visible from the outside of the surface (Claims 30, 33, and 46).

Best et al. (U.S. 6,176,584) shows a curved surface, real image, laser-based rear projection display system in Figures 1-7.

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the curved surface, real image, laser-based rear projection display system technology of Best et al. in the progressive display system of Guinn et al. in view of Tanaka et al. Doing so provides an additional source of generating and displaying an attraction animation.

#### ***Allowable Subject Matter***

13. Claims 3-4, 6-7, 11-12, 16-17, 19-20, 23-24, 26-28, 39-40, and 42 are objected to as being dependent upon a rejected base claim, but may be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Brossard '790, '275, Olsen '448, Piechowiak et al. '982, '309, Tracy '909, Pascal et al. '202, Walker et al. '332, Seelig et al. '544, Harlick '773, Weiss '162, Stefan '277, Barrie et al. '728, and Tracy '055 disclose individual and/or electronically linked gaming machines for cooperative play.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

Art Unit: 3713

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-1118. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3579 for regular communications and (703) 305-3579 for After Final communications.

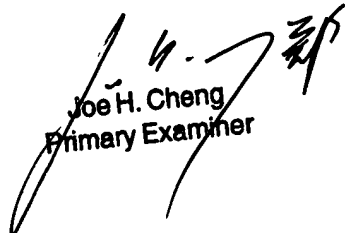
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1118.

Scott E. Jones  
Examiner  
Art Unit 3713

SEJ

sej

January 9, 2002

  
Joe H. Cheng  
Primary Examiner